

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

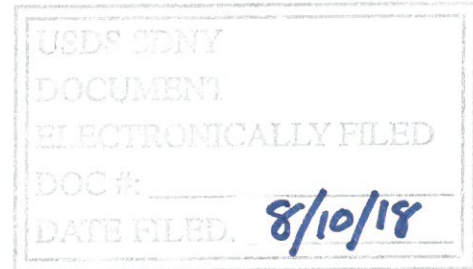
JOHN COTTAM,

Plaintiff,

-v-

GLOBAL EMERGING CAPITAL GROUP,
LLC, *et al.*,

Defendants.



No. 16-cv-4584 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

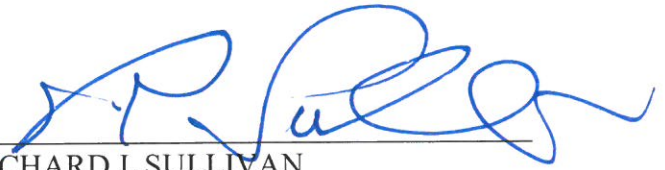
The Court is in receipt of a joint letter from Plaintiff and Defendants 6D Global Technologies, Inc., 6D Acquisitions, Inc., and Tejune Kang (collectively, the “6D Defendants”) regarding their disputes over (1) the schedule for discovery in this action and (2) the timing and location of Plaintiff’s deposition. As to the parties’ second dispute, IT IS HEREBY ORDERED that Plaintiff shall appear for a deposition in New York City. “It is well settled that a plaintiff is ordinarily required to make him or herself available for a deposition in the jurisdiction in which the action is brought.” *A.I.A. Holdings, S.A. v. Lehman Bros., Inc.*, No. 97-cv-4978 (LMM) (HBP), 2002 WL 1041356, *1 (S.D.N.Y. May 23, 2002). Although Plaintiff is correct that compelling circumstances can justify a departure from this general rule, his generalized assertion that he “is unable to be away from his work” for the time required to sit for a deposition – in a forum he chose – “without his absence detrimentally impacting his patients” (*see* Doc. No. 22 at 4) is insufficient to justify his request to have his deposition taken in Florida. *See Restis v. Am. Coalition Against Nuclear Iran, Inc.*, No. 13-cv-5032 (ER) (KNF), 2014 WL 1870368, *3 (S.D.N.Y. Apr. 25, 2014).

However, in order to facilitate settlement discussions in this case, and perhaps two related cases pending before Judge Sweet, IT IS HEREBY ORDERED that discovery in this action is STAYED pending further order of this Court. IT IS FURTHER ORDERED that the parties shall submit a joint letter on October 1, 2018, updating the Court as to the status of their settlement efforts.

The Clerk of Court is respectfully directed to terminate the motion pending at docket number 184.

SO ORDERED.

Dated: August 10, 2018
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE